Vol VIII. Numb. 2

THE OBSERVATOR.

A Letter from the Country, of undue Practices of Deputy-Lieutenants, in raising Money for Musters, and training the Militia, tho' they had neglected their Duty in both: Which shews the Necessity of regulating Abuses in the Lieutenancy, in order to have the Militia in a Condition to defend the Country in Case of an Invasion. The Opinion of the Reformers, and our Stateat that Time, as to Episcopacy.

From Saturday, February 2. to Wednesday, February 5. 1709.

Country-m. YOU and I have several Times been talking betwixt our selves, Master, that there seem'd to be a Necessity of putting the Lieutenancy of *Great Britain* into good Hands; and here's a Letter from a Gentleman, which plainly shews, that 'tis not only necessary this should be done, but that an Enquiry should also be made, how the Lieutenancy performs their Duty?

Obs. Read the Letter, *Roger.*

Country-m. 'Tis thus, Master.

SIR,

'A Constable in my Neighbourhood has receiv'd 'a Warrant under the Hands and Seals of 'six Deputy-Lieutenants, requiring him to warn all 'Persons charg'd to Horse or Foot, to send their 'respective Men, with Horses, Arms, *&c.* to the '- - - - -, on a Day prefix'd. He has accordingly 'warn'd such as he thought chargeable, and seve-'ral answer'd him, That they do not know whi-'ther they are charg'd to Horse or Foot, nor what 'Proportion they are to bear to either. There have 'been no Musters in their Division for fourteen or 'fifteen Years past; and the Arms are mostly im-'bezell'd. Some, that then found to the Horse, 'have been made Officers since, and serving in Per-'son, are consequently discharg'd from finding to 'Horse or Foot; and those that were join'd with 'them, being not liable to take the whole Burthen 'of a Horse or Foot Man upon them, have no 'Partners allotted them. Others are dead, and 'their Estates divided: And in short, the whole 'Business is so untwisted, they know not what to 'do; for the Deputy-Lieutenants have never met 'since, to settle it, nor do they intend to do it now, 'that I hear of.

Obs. Why truly, *Roger*, I believe that Matter is very confus'd, and that many Places of the Kingdom would have been but miserably provided, if the Pretender had landed among us. These Gentlemen, perhaps, have seen their Error, and sent this Warrant in order to settle the Militia in a better Posture of Defence for the future.

Country-m. I am afraid, Master, that some of 'em are not so honest; for by the Postscript at the Bottom of the Warrant, 'tis plain they intend the Country shall be as ill provided as ever.

Obs. Read it, *Roger.*

Country-m. 'Tis thus, Master.

P. S. 'You are desir'd to acquaint all Persons 'finding to Horse or Foot, that if they send in the 'Muster-Master's Pay, and Arrears for six Years 'past, to the Sign of the - - - - at - - - -, they will 'be excus'd from sending their Men, Horses, *&c.* 'to - - - -.

So that 'tis plain, Master, this is all Grimace, and no such Thing as a Muster design'd; but the whole Business, according to the Letter, is to raise a Purse for the Muster-Master, who, it says, is Creditor of a certain Lord-Lieutenant. And the Country People say this is an odd Way of paying Debts!

Obs. But perhaps, *Roger*, this may be design'd for the Ease of the Country, and to save them the Expence of a Muster, at a Time when other Taxes are heavy.

Country-m. If it be so, Master, they would not require them to pay six Years Arrears to a Man that hath done nothing for it, but drank Claret, as the Letter says, at the Country's Expence. and that the Sum comes to near 600 *l.* which sticks in the Peoples Stomachs plaguily. But pray, Master, what says the Law in this Matter?

Obs. Here is the Statute-Book, *Roger. Anno* 15 *Car.* 2. Cap. 4. Parag. 6. 'It's enacted, That once 'every Year each Soldier so listed, shall pay the 'Muster-Master, being an Inhabitant of the same 'County, such Sum not exceeding 12 *d.* for a Horse-'man, and 6 *d.* for a Foot-man, as the Lieutenant 'and Deputies, or any three or more of them, shall, 'under their Hands and Seals, direct; who have 'Power to levy the same by Distress and Sale, *&c.* So that you may observe, first, *Roger*, That the Muster-Master must be an Inhabitant of the County, else he is not qualify'd for the Office. Secondly, There is nothing due, till it is directed how much, by the Lord-Lieutenant, or three of his Deputies. Thirdly, It must be directed every Year only once, and that not exceeding 12 *d.* for a Horse-man, and 6 *d.* for a Foot-man, in any one Year. And consequently it would seem, that no Arrears ought to be collected, in case it be not appointed in former Years. So that if it be enacted by any Person not qualify'd, or levy'd by any other Ways than what this Act directs, it is Extortion, and contrary to Law.

Country-m. Well, Master, I find we Country Folks are liable to be abus'd, notwithstanding; for tho' this Muster-Master is not qualify'd, nor the Law observ'd as to the collecting this Money, 'tis better for us to pay, than stand out; for if we send our Men, they'll pick some Fault or other, and break our Muskets, and Heads too, if we don't pay all the Arrears.

Obs. I have known that Matter try'd, and Damages, as well as Costs, recover'd against such Muster-Masters, *Roger*; for the Statute says, That the Lord-Lieutenant and Deputies, or any three or more of them, have Power to hear Complaints, and give Redress in all Matters relating to the Execution of these Statutes. The Muster-Master is indeed deputed to examine the Deficiencies of Arms, Men, or Horses, and bring them to the Lord-Lieutenant and his Deputies; and in Case of Deficiency, they are to impose such Fines as the Statute directs: But neither he nor they have any Authority to break the Arms that are found deficient, more than to kill the Horses or Men; and tho' a Musket or Pike be of less Value than a Horse, yet the Owners have as great a Right to the one, as to the other, and may legally recover Satisfaction of all such as break or destroy them. There are many other Mismanagements, *Roger*, in this Matter; but this is enough at present; only, when thou art a Constable, I advise thee to take Care not to collect any Money of those whose Estates are under 50 *l.* a Year, and are to be charg'd by a Pound-Rate, before that Rate be sign'd by the Lord-Lieutenant, or three or more Deputy-Lieutenants, least you levy Money on the Subject contrary to Law.

Country-m. But is not this a sad Thing, Master, that

that while we are tax'd to maintain Armies Abroad, for the preſerving of our own Liberties, and thoſe of *Europe*, we ſhould be thus impos'd upon to pay Money to Men who don't perform their Duty according to the Law at Home? We have had many Propoſals for making the Militia more ſerviceable, but at this Rate of Management, you ſee, 'tis quite neglected in ſome Parts of the Nation, and yet the People muſt pay for it! I hope our Repreſentatives will enquire into thoſe Things. But enough of this at preſent, Maſter: I want, according to your Promiſe laſt Day, the Opinion of our Reformers about Biſhops, whether they thought 'em ſuperior to Presbyters by divine Inſtitution; and that thoſe who wanted 'em, were no Churches, as the *Rehearſer* and his Faction do now alledge?

Obſ. They were ſo far from ſuch uncharitable and wild Notions, *Roger*, that thoſe Churches which wanted Biſhops, were thereby unchurch'd, and their Adminiſtrations null on that Account, that the famous Arch-biſhop and Martyr, Dr. *Cranmer*, ſaid, 'That Biſhops and Prieſts were at one 'Time, and were not two Things, but both one 'Office, in the Beginning of Chriſt's Religion, as 'Dr. *Stillingfleet* informs us in his *Irinicum*, p. 392. 'and he adds, p. 393. That in the ſame Manuſcript 'it appears, that the Biſhop of *St. Aſaph*, *Therlely*, '*Redman*, and *Cox*, were all of the ſame Opinion 'with the Arch-biſhop, that at firſt Biſhops and 'Presbyters were the ſame; and the two latter ex'preſsly quote the Opinion of *Jerome* with Appro'bation. Thus we ſee, adds Dr. *Stillingfleet*, by the 'Teſtimony of him, who was chiefly inſtrumental 'in our Reformation, that he own'd not Epiſco'cy as a diſtinct Order from Presbytry, but only 'as a prudent Conſtitution of the Civil Magiſtrate, 'for the better governing the Church.

In Confirmation of this, *Roger*, Mr. *Strype*, in his Memorials of Arch-biſhop *Cranmer*, p. 52. ſays, that the Book mention'd in my laſt, call'd, *A neceſſary Doctrine and Erudition for any Chriſten Man*, which ſays, *the Scripture makes expreſs mention only of Prieſts and Deacons.* Tho' it was compos'd by Arch-biſhop *Cranmer* and the other Biſhops, and on that Account was commonly call'd the Biſhops Book, that it was eſtabliſh'd by Act of Parliament, ſign'd by the two Arch-biſhops, nineteen Biſhops, eight Arch-deacons, and ſeventeen Doctors of Divinity and Law. But the ſecond Edition being publiſh'd by the King's own Authority, the Title was chang'd, and it was call'd by his Name, becauſe that Prince affected to be thought learned: By which 'tis plain, that the Church and State of *England* in thoſe Days eſtabliſh'd it as their Doctrine, according to the Canons in *Ælfric*'s Time, and the Opinion of *Wiccliſ* and his Followers, that Biſhops and Presbyters were the ſame Office. It likewiſe appears by the Commiſſion which Arch-biſhop *Cranmer* took out, in *Edward* the VI's Time, for his Arch-biſhoprick, in Dr. *Burnet*'s Hiſtory of the Reformation, Vol. 2. Collection of Records, p. 91. That the Biſhop's Power of ordaining Presbyters was reckon'd *to be over and above what belongs to them by Scripture*, and was to laſt no longer than during the King's Pleaſure; which fully proves it to have been the Opinion of our then Biſhops, as Dr. *Stillingfleet* ſaid in the Place above-mention'd, That Epiſcopacy, as a diſtinct Order from Presbytry, was only a prudent Conſtitution of the Civil Magiſtrate.

Add to this, *Roger*, the Opinion of that great Ornament to our Nation and Church, Biſhop *Jewel*, who, in the Defence of his Apology of the Church of *England*, againſt *Harding*, p. 121. owns, That Biſhops and Presbyters are all one; and quotes *Jerome*, *Chryſoſtome*, and *Eraſmus*, as being of the ſame Opinion.

Country-m. I thank you, Maſter; you have fully prov'd, by thoſe Inſtances, and the 55th Canon of our Church, which owns thoſe for true Churches, that have no Biſhops, that the *Rehearſer* and his Faction are condemn'd both by our Church and State, for their wild and uncharitable Opinions. He may flounce about like a Fiſh when he is ſtruck, but can never anſwer this Authority, without making himſelf a Schiſmatick from our Church, and an Enemy to the State: And I think you have made it very plain, that 'tis he and his Faction, who are guilty of a Rebellion, like that of *Korah*: and that the Queen and Parliament have acted nothing contrary to the eſtabliſh'd Doctrine of our Church, by ratifying the Church of *Scotland*, and granting a Toleration to Diſſenters in *England*.

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